

1-1 By: Cohen, Coleman (Senate Sponsor - Ellis) H.B. No. 4113
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 19, 2007, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 0; May 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4113 By: Nichols

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the Buffalo Bayou Management District.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 4, Chapter 997, Acts of the 78th
1-13 Legislature, Regular Session, 2003, is amended to read as follows:
1-14 Sec. 4. BOUNDARIES. The Buffalo Bayou Management District
1-15 [~~district~~] includes all the territory contained in the following
1-16 described area:
1-17 POINT OF BEGINNING at the intersection of the center line of
1-18 Allen Parkway and the west boundary line of the Houston Downtown
1-19 Management District, then west along the center line of Allen
1-20 Parkway to the west boundary line of Montrose right-of-way, then
1-21 south along the west boundary line of Montrose right-of-way to the
1-22 south boundary line of West Dallas right-of-way, then west along
1-23 the south boundary line of West Dallas right-of-way to the
1-24 intersection of the west boundary line of Shepherd Drive
1-25 right-of-way. Then north along the west boundary line of Shepherd
1-26 Drive right-of-way to the intersection of the south boundary line
1-27 of the Memorial Drive right-of-way. Then west along the south
1-28 boundary line of Memorial Drive right-of-way to the intersection of
1-29 the west boundary line of Detering right-of-way. Then north along
1-30 the west boundary line of Detering right-of-way to the intersection
1-31 of the north boundary line of Memorial Drive right-of-way. Then
1-32 east along the north boundary line of Memorial Drive right-of-way
1-33 to the west boundary line of Shepherd Drive right-of-way. Then
1-34 north along the west boundary line of Shepherd Drive right-of-way
1-35 to the intersection of the north boundary line of Feagan Street
1-36 right-of-way. Then east along the north boundary line of Feagan
1-37 Street right-of-way until the intersection of the the west boundary
1-38 line of Jackson Hill Street right-of-way. Then north along the west
1-39 boundary line of Jackson Hill Street right-of-way to the
1-40 intersection of the north boundary line of Blossom Street
1-41 right-of-way. Then west along the north boundary line of Blossom
1-42 Street right-of-way until the intersection of the east boundary
1-43 line of Heights Boulevard right-of-way. Then north along the east
1-44 boundary line of Heights Boulevard right-of-way to the intersection
1-45 of the south boundary line of Washington Avenue right-of-way. Then
1-46 east along the south boundary line of Washington Avenue
1-47 right-of-way to the intersection of the west boundary line of the
1-48 Washington Cemetery. Then south along the west boundary line of the
1-49 Washington Cemetery to the intersection of the north boundary line
1-50 of Memorial Drive right-of-way. Then east along the north boundary
1-51 line of Memorial Drive right-of-way to the intersection of the
1-52 northeast corner of Memorial Drive right-of-way and the northern
1-53 bank of Buffalo Bayou. Then curve around the northern bank of
1-54 Buffalo Bayou to the northeastern corner of the intersection of the
1-55 north boundary line of Memorial Drive. Then east long the north
1-56 boundary line of Memorial Drive right-of-way to the west boundary
1-57 line of Silver and north along the west boundary line of Silver
1-58 right-of-way to the north boundary line of Memorial Drive Way
1-59 right-of-way. Then east along the north boundary line of Memorial
1-60 Drive Way right-of-way to the west boundary line of Sabine Street
1-61 right-of-way. Then south along the west boundary line of Sabine
1-62 Street right-of-way to the north boundary line of Memorial Drive
1-63 right-of-way. Then east along the north boundary line of Memorial

2-1 Drive right-of-way to the west boundary line of the Houston
 2-2 Downtown Management District. Then south along the west boundary
 2-3 line of the Houston Downtown Management District to the center line
 2-4 of Allen Parkway, the POINT OF BEGINNING [POINT OF BEGINNING at the
 2-5 intersection of the west boundary line of the Houston Downtown
 2-6 Management District and the north boundary of Memorial Drive
 2-7 right-of-way, then west along the north boundary of Memorial Drive
 2-8 right-of-way to the north boundary of Memorial Drive's Heights
 2-9 North exit ramp, then northwest along the north boundary of
 2-10 Memorial Drive's Heights North exit ramp to the east boundary of
 2-11 Heights boulevard right-of-way, then west across Heights Boulevard
 2-12 from the east boundary of Heights Boulevard right-of-way to the
 2-13 west boundary of the Heights Boulevard right-of-way, then south
 2-14 along the west boundary of Heights boulevard right-of-way to the
 2-15 north boundary of Memorial Drive's Memorial West entrance ramp,
 2-16 then southwest along the north boundary of Memorial Drive's
 2-17 Memorial West entrance ramp to the northern boundary line of
 2-18 Memorial Drive right-of-way, then west along the northern boundary
 2-19 line of Memorial Drive right-of-way to the west boundary line of
 2-20 Shepherd Drive right-of-way, then south along the west boundary
 2-21 line of Shepherd Drive right-of-way to the centerline of West
 2-22 Dallas, then east along the centerline of West Dallas to the
 2-23 intersection of the west boundary of Montrose Boulevard
 2-24 right-of-way and the centerline of West Dallas, then south along
 2-25 the west boundary line of Montrose Boulevard right-of-way to the
 2-26 south boundary line of U.S. Highway 59 and the west boundary line of
 2-27 Montrose Boulevard right-of-way, then in an easterly direction from
 2-28 said intersection along the south boundary line of U.S. Highway 59
 2-29 to the intersection of the west boundary line of the Main Street
 2-30 right-of-way and then proceeding from said intersection in a
 2-31 northwesterly direction along the boundary line of the west Main
 2-32 Street right-of-way paralleling the boundary line of the Greater
 2-33 Southeast Management District to the intersection of the boundary
 2-34 line of the south Portland Street right-of-way and the boundary
 2-35 line of the west Main Street right-of-way, being the southern
 2-36 boundary line of the Midtown Management District, then proceeding
 2-37 from said intersection in generally a northeasterly direction the
 2-38 boundary line parallels the Midtown Management District boundary
 2-39 line to the intersection of the west boundary line of the US Hwy 45
 2-40 right-of-way and the north boundary line of the Cleveland Street
 2-41 right-of-way, being the western boundary line of the Houston
 2-42 Downtown Management District, then north from said intersection
 2-43 along the western boundary line of the Houston Downtown Management
 2-44 District to the POINT OF BEGINNING].

2-45 SECTION 2. Sections 3820.051(a) and (b), Special District
 2-46 Local Laws Code, are amended to read as follows:

2-47 (a) Except as provided by Subsection (c), the district is
 2-48 governed by a board of nine [~~31~~] voting directors appointed under
 2-49 Section 3820.052 and nonvoting directors as provided by Section
 2-50 3820.053.

2-51 (b) Voting directors serve staggered terms of four years,
 2-52 with four [~~15~~] or five [~~16~~] directors' terms expiring June 1 of each
 2-53 odd-numbered year.

2-54 SECTION 3. Section 3820.055, Special District Local Laws
 2-55 Code, is amended to read as follows:

2-56 Sec. 3820.055. BOARD [~~INITIAL DIRECTORS~~]. (a) The
 2-57 [~~initial~~] board consists of the following persons:

2-58	Pos. No.	Name of Director	
2-59	1	<u>Kay Crooker</u>	
2-60	2	<u>Steve Costello</u>	[Mike Carver]
2-61	3	<u>Barrett Sides</u>	[Jackie Martin]
2-62	4	<u>William Taylor</u>	[Mark Lee]
2-63	5	<u>Julie McClure</u>	[John Chase, Jr.]
2-64	6	<u>Peter Grim</u>	[Adrian Collins]
2-65	7	<u>Max Schuette</u>	
2-66	8	<u>Thomas Arcidiacono</u>	[June Deadrick]
2-67	9	<u>Steve Gibson</u>	[Don Cutrer]
2-68	[10]		<u>Raju Adwaney</u>
2-69	[11]		<u>Mike Mark</u>
2-70	[12]		<u>Sia Ravari</u>

3-1	[13	Cherry Walker
3-2	[14	John Hansen
3-3	[15	John Dao
3-4	[16	William Taylor
3-5	[17	Karen Domino
3-6	[18	Kevin Hoffman
3-7	[19	Jeff Andrews
3-8	[20	William Paul Thomas
3-9	[21	Theola Petteway
3-10	[22	Keith Wade
3-11	[23	Chrysisse Wilson
3-12	[24	Sadie Rucker
3-13	[25	Julie McClure
3-14	[26	Angie Comez
3-15	[27	Tom Fricke
3-16	[28	James Robert McDermaid
3-17	[29	Kathy Hubbard
3-18	[30	Marsha Johnson
3-19	[31	Craig Jackson]

3-20 (b) ~~The [Of the initial directors, the]~~ terms of directors
 3-21 appointed for positions 1 through 5 [~~15~~] expire June 1, 2009 [~~2005~~],
 3-22 and the terms of directors appointed for positions 6 [~~16~~] through 9
 3-23 [~~31~~] expire June 1, 2011 [~~2007~~].

3-24 (b-1) The term of each membership position on the board as
 3-25 the term exists immediately preceding the effective date of the Act
 3-26 adding this subsection expires on that effective date. On that
 3-27 date, a new board is appointed as provided by Subsection (a) to
 3-28 serve terms as provided by Subsection (b).

3-29 (c) Section 3820.052 does not apply to this section.

3-30 (d) This section expires September 1, 2011 [~~2007~~].

3-31 SECTION 4. Section 3820.105, Special District Local Laws
 3-32 Code, is amended to read as follows:

3-33 Sec. 3820.105. COMPETITIVE BIDDING. Section 375.221, Local
 3-34 Government Code, applies to the district only for a contract that
 3-35 has a value greater than \$25,000 [~~\$15,000~~].

3-36 SECTION 5. Subchapter D, Chapter 3820, Special District
 3-37 Local Laws Code, is amended by adding Section 3820.160 to read as
 3-38 follows:

3-39 Sec. 3820.160. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
 3-40 Section 375.161, Local Government Code, does not apply to the
 3-41 district.

3-42 SECTION 6. The legislature finds that:

3-43 (1) proper and legal notice of the intention to
 3-44 introduce this Act, setting forth the general substance of this
 3-45 Act, has been published as provided by law, and the notice and a
 3-46 copy of this Act have been furnished to all persons, agencies,
 3-47 officials, or entities to which they are required to be furnished by
 3-48 the constitution and laws of this state, including the governor,
 3-49 who has submitted the notice and Act to the Texas Commission on
 3-50 Environmental Quality;

3-51 (2) the Texas Commission on Environmental Quality has
 3-52 filed its recommendations relating to this Act with the governor,
 3-53 lieutenant governor, and speaker of the house of representatives
 3-54 within the required time;

3-55 (3) the general law relating to consent by political
 3-56 subdivisions to the creation of districts with conservation,
 3-57 reclamation, and road powers and the inclusion of land in those
 3-58 districts has been complied with; and

3-59 (4) all requirements of the constitution and laws of
 3-60 this state and the rules and procedures of the legislature with
 3-61 respect to the notice, introduction, and passage of this Act have
 3-62 been fulfilled and accomplished.

3-63 SECTION 7. This Act takes effect immediately if it receives
 3-64 a vote of two-thirds of all the members elected to each house, as
 3-65 provided by Section 39, Article III, Texas Constitution. If this
 3-66 Act does not receive the vote necessary for immediate effect, this
 3-67 Act takes effect September 1, 2007.

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